

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CHRISTINA M. WAGNER,)	CASE NO. 1:09cv1115
)	
PLAINTIFF,)	JUDGE SARA LIOI
)	
vs.)	
)	
COMMISSIONER OF SOCIAL)	
SECURITY,)	ORDER
)	
DEFENDANT.)	
)	

Before the Court is a Report and Recommendation (“R&R”) of a magistrate judge recommending that this case be remanded for a rehearing under the fourth sentence of 42 U.S.C. § 405(g) primarily because the Administrative Law Judge (“ALJ”), applying the wrong legal standard, conducted a redetermination rather than a continuing disability review. (Doc. No. 16.) Objections to the R&R were due on July 29, 2010. The Commissioner filed a notice that he would not be filing any objections. (Doc. No. 17.) Not surprisingly, plaintiff has not filed any objections.

There being no objections to the R&R, the Court hereby **ACCEPTS** the R&R and will by separate Judgment Entry remand this matter for a rehearing before an ALJ. The rehearing should be a continuing disability review.

IT IS SO ORDERED.

Dated: July 30, 2010



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE